

## Chapter 31      Standards for Specific Uses and Activities

---

### Sections:

11-31-1	<a href="#">Purpose and Applicability</a>
11-31-2	<a href="#">Accessory Uses</a>
11-31-3	<a href="#">Accessory Dwelling Unit</a>
11-31-4	<a href="#">Animal Keeping (Accessory to Residential Uses)</a>
11-31-5	<a href="#">Automobile Rentals; Automobile/Vehicle Sales and Leasing</a>
11-31-6	<a href="#">Automobile/Vehicle Repair, Major and Minor</a>
11-31-7	<a href="#">Automobile/Vehicle Washing</a>
11-31-8	<a href="#">Bed and Breakfast Inns</a>
11-31-9	<a href="#">Commercial Uses in Any Residence District</a>
11-31-10	<a href="#">Community Garden</a>
11-31-11	<a href="#">Convenience Markets</a>
11-31-12	<a href="#">Correctional Transitional Housing Facilities (CTHF)</a>
11-31-13	<a href="#">Day Care Group Homes</a>
11-31-14	<a href="#">Group Homes for the Handicapped (GHH)</a>
11-31-15	<a href="#">Hospitals and Clinics</a>
11-31-16	<a href="#">Large Format Retail</a>
11-31-17	<a href="#">Live/Work Units</a>
11-31-18	Drive-thru Facilities
11-31-19	<a href="#">Outdoor Eating Areas</a>
11-31-20	<a href="#">Outdoor Retail Sales</a>
11-31-21	<a href="#">Pawn Shops</a>
11-31-22	<a href="#">Places of Worship</a>
11-31-23	<a href="#">Recycling Collection and Processing Facilities</a>
11-31-24	<a href="#">Schools</a>
11-31-25	<a href="#">Service Stations</a>
11-31-26	<a href="#">Social Service Facilities</a>
11-31-27	<a href="#">Special Events</a>
11-31-28	(Reserved)
11-31-29	<a href="#">Temporary Parking Lots</a>
11-31-30	<a href="#">Temporary Uses: Swap Meets and Farmer's Markets</a>
11-31-31	<a href="#">Residential Uses in Commercial Districts</a>
11-31-32	<a href="#">Superior Design</a>
11-31-33	<a href="#">Home Occupations</a>
11-31-34	<a href="#">Medical Marijuana Facilities</a>
<u>11-31-35</u>	<u><a href="#">Recreational Vehicle Storage Lots in RS Districts</a></u>

**11-31-1: Purpose and Applicability**[Return to Page 1](#)

The purpose of this Chapter is to establish standards for specific uses and activities that are permitted or conditionally permitted in multiple zones. For each zoning district, uses and activities that are permitted or conditionally permitted shall comply with the regulations and standards of this Chapter, as well as any applicable standard found in each zoning district.

**11-31-2: Accessory Uses**

An accessory use shall be secondary to a primary use and shall be allowed only in conjunction with a principal use or building to which it relates, in any zoning district. Accessory use regulations are found in the use regulations tables in [Article 2 and 3](#) of this [Zoning Ordinance](#) and are subject to the regulations of the primary use and specific standards found in this Chapter.

**11-31-3: Accessory Dwelling Unit**

One accessory dwelling unit is permitted on a residential lot in all Single Residence ([RS](#)) Districts. [Accessory Dwelling Units](#) may be detached, attached, or directly accessible from the primary dwelling unit and may be served by a single utility service, one which also serves the primary dwelling.. Accessory dwelling units must also comply with the following provisions:

- A. An [Accessory Dwelling Unit](#) that is attached to or part of the same structure as the primary dwelling unit must be provided a separate entrance and if facing the street, must be setback from the front façade and not visible from the public right-of-way.
- B. The maximum floor area of an [Accessory Dwelling Unit](#) shall not exceed 30 percent of the roof area of the primary unit, except within the [Town Center Redevelopment Area](#) or within an [Infill District](#) (unless modified by Council through the approval of an Infill Incentive Plan for a specific [Infill District](#)), where [Accessory Dwelling Units](#) shall not exceed 50 percent of the roof area of the primary dwelling.
- C. [Accessory Dwelling Units](#) shall conform to all setbacks, height, lot coverage and other requirements applicable to the primary dwelling unit, based on the zoning district requirements.
- D. The architectural design, exterior materials and colors, roof pitch and style, type of windows and trim details shall be substantially the same as and compatible with the primary dwelling unit.

[Return to Page 1](#)

- E. Lease or rental of the [Accessory Dwelling Unit](#), separate from the occupancy of the primary dwelling, shall require approval of a [Special Use Permit](#). Evaluation of the [SUP](#) shall require the occupancy of the primary dwelling units by the owner of the property.

[Return to Page 1](#)

#### **11-31-4: Animal Keeping (Accessory to Residential Uses)**

Keeping animals in residential zones is allowed, subject to compliance with [Title 8 Article 4](#).

A Special Use Permit may be approved for the keeping of livestock in excess of the number permitted in [Section 8-6-21](#) of the Mesa City Code, or for the keeping of livestock on a parcel less than 35,000 square feet, as specified in [Section 8-6-21](#) of the Mesa City Code, only upon a finding by the [Zoning Administrator/Board of Adjustment](#) that all three of the following are present:

- A. The applicant has demonstrated that the number of livestock proposed is consistent with the number historically kept on the property.
- B. The keeping of livestock is for private use and enjoyment and does not constitute a commercial use, unless otherwise authorized in this Chapter.
- C. The keeping of livestock will be in accordance with all other provisions of [Title 8 Article 4](#), of the Mesa City Code, including proper sanitation and placement of barns, pens, and corrals.

#### **11-31-5: Automobile Rentals; Automobile/Vehicle Sales and Leasing**

Automobile Rental, and Automobile/Vehicle Sales and Leasing, each as described in [Section 11-86-4](#), shall be located, developed, and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

- A. **Landscaping.** In addition to perimeter and foundation base landscaping requirements, landscaping shall comprise a minimum of 10 percent of the site area.
- B. **Vehicle Display.** A maximum of 30 percent of the street side landscape area may be used for vehicle display. A minimum 12-foot wide planter strip shall separate vehicle display areas from sidewalks along the streets. Vehicle display encroachments wider than 30-feet shall be separated by a minimum distance of 30-feet between similar vehicle displays that encroaches into the street side landscape area (illustration needed).
- C. **Vehicle Loading and Unloading.** Vehicle loading and unloading shall occur on-site.

[Return to Page 1](#)

**D. Vehicle Display Platforms:**

1. Elevated platforms or other structures or devices used for the display of vehicles associated with an approved vehicle sales or rental facility are permitted, provided such platforms, structures, or devices:
  - (a) Shall only be located in areas currently approved or authorized for vehicle display; and
  - (b) Shall not project into or over required landscape areas, drive aisles, or fire lanes; and
  - (c) Shall not be located closer to the public street than the existing, at-grade vehicle display area; and
  - (d) Shall not exceed four feet (4') in height as measured from the mean finished grade of the display surface.
2. Only one (1) vehicle shall be displayed on each platform, structure, or device.
3. The number of display platforms, structures, or devices shall not exceed a ratio of one (1) per one hundred feet (100') of lineal street frontage of the at-grade display area (exclusive of driveways).
4. The Design Review Board may approve modifications or variations to the above provisions when such platforms, structures, or devices are a component of a site development plan reviewed and approved in accordance with Section 11-18-9 of this Title. Such modifications or variations shall only be approved upon a finding by the Board that such platforms, structures, or devices:
  - (a) Constitute a design component, or incorporate architectural features, associated with the primary buildings or structures on the development site; and
  - (b) Serve only to enhance the visibility of vehicles, and do not display or portray an advertising message, or commercial signage; and
  - (c) Will not impede or obstruct the visibility of traffic maneuvering on the development site or traveling upon the public-street; and
  - (d) Incorporate increased setbacks, enhanced landscaping, or other screening measures to effectively mitigate the impact of the platforms.

**11-31-6: Automobile/Vehicle Repair, Major and Minor**[Return to Page 1](#)

Major Automobile/Vehicle Repair, and Minor Automobile/Vehicle Service and Repair, each as described in [Section 11-86-4](#), shall be located, developed, and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

- A. **Minimum Lot Size.** 1 acre, unless part of a larger group commercial center.
- B. **Screening.** Car service and storage areas shall be screened per [Sections 11-30-9\(F\)](#), Auto Service Bays and [11-30-9\(H\)](#), Parking Areas.
- C. **Litter.** No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles may be stored outside of the main building.
- D. **Noise.** All body and fender work, or similar noise-generating activity, shall be enclosed in masonry or similar building with sound attenuating measures incorporated into the building design and construction to absorb noise to comply with [Title 6, Chapter 12](#) of the [Mesa City Code](#). Bay openings shall be oriented so as to minimize the effects of sound emanating from the auto repair building towards residential uses, towards outdoor restaurant seating and outdoor reception areas. Compressors shall be located within separately enclosed, sound attenuated rooms.

**11-31-7: Automobile/Vehicle Washing**

Automobile Washing, as described in [Section 11-86-4](#), shall be located, developed, and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

- A. **Location.** Automobile/Vehicle Washing, as a primary use, is only allowed on sites with at least one frontage on an arterial street.
- B. **Setbacks.** No building or structure shall be located within 20 feet of any interior lot line abutting a residential zoning district.
- C. **Drive-up Aisles and Required Queuing Area.** Drive-up aisles shall be at least 11 feet wide; if adjacent to a street, they shall be screened as specified in [Section 11-30-9\(E\)](#), Drive-through Windows and Automated Car Washes. The drive-up aisle shall provide queuing space, with no encroachment into required landscape areas or building setbacks, for at minimum:
  - 1. 4 vehicles per pull-through rack for each automatic wash bay.
  - 2. 3 vehicles per bay for self-serve, coin-operated and/or hand wash facilities.

[Return to Page 1](#)

- D. **Landscaping.** Automobile/Vehicle Washing, as a primary use, in addition to perimeter, parking lot and foundation base landscaping requirements, landscaping shall comprise a minimum of 10 percent of the site area.
- E. **Litter.** One permanent, non-combustible trash receptacle per wash bay is required.
- F. **Noise.** Sound attenuating measures shall be incorporated into the building design and construction to absorb noise such that the sound level readings at the street and at interior property lines are no more than 55 decibels. Mechanical equipment for centralized vacuum equipment shall be housed in an enclosed room.
- G. **Additional Special Use Permit Criteria.** When a [Special Use Permit](#) is required by [Article 2](#), each of the following items shall be included in the evaluation:
1. The number of automobile related activities within 600-feet of an intersection of arterial streets shall not exceed 2, including automobile/vehicle washing, automobile service stations, automobile sales or rental lots, or automobile/vehicle repair.
  2. Proposed locations within “[-U](#)” designated areas shall be oriented with canopies and fuel dispensing equipment away from the street, either to the side or to the rear of a building.
  3. Compliance with all development standards for the applicable zoning district, including compliance with all requirements for automobile related services located in all mixed districts and “[-U](#)” designated districts.
  4. The use is found to be in compliance with the [General Plan](#), applicable Sub-area plans and other recognized development plans or policies, and will be compatible with surrounding uses;
  5. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use shall adequately provide paved parking and on-site circulation in a manner that minimizes impacts on adjacent sites; and existing or proposed improvements to the site shall minimize dust, fugitive light, glare, noise, offensive smells and traffic impacts on neighboring residential sites.
  6. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations.

7. A finding that a "[good neighbor policy](#)" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses. Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures.
8. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City development standards, including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines

### 11-31-8: Bed and Breakfast Inns

[Return to Page 1](#)

Bed and Breakfast Inns, as described in [Section 11-86-4](#), shall be located, developed and operated in compliance with the land use regulations in Article 2 and the following standards:

- A. **Location of Parking:** All parking shall be located behind the front yard building setback for the zoning district, and be designed to facilitate the exiting of vehicles in a forward motion from the site onto the adjacent street. Parking for sites located in [RM](#) districts shall not encroach into any required side and rear yards, nor any required landscape areas.
- B. **Additional Requirements for Sites located in RS and DR Districts.** In addition, sites located within the [RS](#) and [DR](#) districts shall comply with the following:
  1. **Minimum lot area.** When located in Single Residence ([RS](#)) districts, the minimum lot area shall be 15,000 square feet or greater.
  2. **On-site resident.** When located in Single Residence ([RS](#)) or Downtown Residence ([DR](#)) districts, the operation of the facility shall include an on-site resident owner or manager.
  3. **Outdoor facilities.** In addition to compliance with all building setback requirements for the zoning district, all unenclosed outdoor buildings open on 1 or more sides, miscellaneous structures, decks and swimming pools shall maintain a minimum separation of 20-feet from abutting single residence lots.
  4. **Signage.** The site shall be limited to 1 attached sign that is no greater than 4 square feet. Any verbiage on the sign shall be limited to the name of the facility and the address. Use of an internally illuminated sign is prohibited.

[Return to Page 1](#)

- C. **Special Use Permit Criteria.** Review of the [Special Use Permit](#) required for Bed and Breakfast Inns located in [RS](#) districts shall be based on the following:
1. **Historic Sites.** Preference may be given to sites located within Approved Historic or [Historic Landmark](#) Overlay Districts, without the site being located in close proximity to an arterial street, as stated in 2, below.
  2. **Proximity to Arterial Streets.** Sites should be located within a traveling distance on public streets of 300-feet from a major arterial street, and should have no more than 1 turning movement on a public street before accessing the public street leading to the arterial street.
  3. **Facility-Lot Area Balance.** The size and number of on-site improvements should be balanced against the size of the lot in order to maintain the appearance of the site as being compatible with the context and character of the surrounding neighborhood. Factors to consider in reviewing this balance include:
    - a. Providing facilities needed to minimize impacts on adjacent properties at a scale limited to that needed to achieve the intended result; and
    - b. Restricting non-residential structures; and
    - c. Providing adequate screening (by structure, screening wall and/or vegetation) of the view of parking spaces from the adjacent street(s).

### 11-31-9: Commercial Uses in Any Residence Districts

Any [Special Use Permit](#) request for a commercial land use classifications in a residence district shall be reviewed in accordance with the following criteria:

- A. **Applicable Policies.** The use is found to be in compliance with the [General Plan](#), and with applicable [Sub Area Plans](#), Neighborhood Plans and other recognized development plans or policies, and will be compatible with surrounding uses; and
1. **Site Plan.** A finding that an acceptable site plan has been submitted for review and consideration.
  2. **Operational Plan.** A finding that an acceptable operational plan in narrative form has been submitted for review and consideration, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses, Such policies shall include, but are not limited



to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures; and

3. **Addresses Adverse Impacts.** Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use shall adequately provide paved parking and on-site circulation in a manner that minimizes impacts on adjacent sites; and existing or proposed improvements to the site shall minimize dust, fugitive light, glare, noise, offensive smells and traffic impacts on neighboring residential sites.

### 11-31-10: Community Gardens

[Return to Page 1](#)

[Community Gardens](#), as described in Section 11-86-3 shall be located, developed, and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

- A. **Type and Size Restrictions.** Community gardens shall be limited in type and size by zoning district as follows:
  1. **Agricultural.** Gardens may be divided into individual plots or farmed collectively. There is no maximum size for individual plots or for the aggregate garden area.
  2. **[RS-35](#), [RS-43](#), and [RS-90](#).** Gardens may be divided into individual plots or farmed collectively. Individual plots may be of any size, the maximum size of the aggregate garden area is limited to one (1) acre.
  3. **All Other Districts.** Garden areas may only be developed as individual garden plots. The individual garden plots may be no larger than 400 square feet and the maximum size of the aggregate garden area is limited to ½ acre.
- B. **Setbacks.** Site features, such as raised planting beds and storage sheds, are not allowed in the required setback. Plantings are allowed in required yards provided they comply with site visibility triangles of [Section 11-30-14](#), Visibility at Intersections.
- C. **Storage Buildings.** Storage buildings shall conform to the following standards:
  1. Maximum area: 200 square feet;
  2. Maximum height: 10 feet;
  3. Location: within the buildable area and placed in the rear one-half of the lot;

[Return to Page 1](#)

4. Number: One (1) storage shed per site for gardens one (1) acre or less; maximum 2 storage sheds for sites larger than one (1) acre.
- D. **Lighting.** Overhead lighting is prohibited.
- E. **Parking.** No more than 2 vehicles shall be permitted onsite, excluding those parked within an enclosed structure. Parking spaces shall be paved with an approved dust proof material.
- F. **Maintenance.** The site shall be kept clear of weeds, debris and waste in conformance with Mesa City Code, [Section 8-6-3](#). All composting shall be done in a screened area or within a container. All tools and equipment shall be stored or screened from view when not in use.
- G. **Fences.** Fences, including trellises, are allowed in required yards subject to the standards governing fence location, maintenance, height and design of [Section 11-30-4](#), Fences and Freestanding Walls. Exception: chain link fence material may be used in the [Community Garden](#).

#### 11-31-11: Convenience Markets

[Convenience Markets](#), as described in Section 11-86-4, shall be located, developed, and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

- A. **Maximum Building Size.** 5,000 square feet.
- B. **Setbacks.** No building or structure shall be located within 20 feet of an interior lot line abutting a residential zoning district.
- C. **Litter.** One permanent, non-flammable trash receptacle shall be installed in the parking area adjacent to the entrance/exit of the market.

#### 11-31-12: Correctional Transitional Housing Facilities (CTHF)

[Correctional Transitional Housing Facility](#), as described in Section 11-86-2, shall be located, developed and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

A. **Location:**

1. **Separation from Dissimilar Uses:** A minimum distance of at least 500 feet from all of the following:
  - (a) Any residential zoning district; and
  - (b) A public or private school building with kindergarten programs or any of grades one (1) through 12, and any recreational area adjacent to such school building; and
  - (c) A church; and
  - (d) A public park
2. **Separation from Similar Uses:** A separation of at least 5,280 feet from any other [CTHF](#).

B. **Location Exception Criteria:** The [City Council](#), at its discretion, may grant an exemption to the separation provisions of [Subsection A](#) if it makes all of the following findings:

1. That the location of the proposed activity will not have a detrimental effect on nearby properties or be contrary to the public safety or welfare; and
2. That the granting of the exception will not violate the spirit and intent of this [Section 11-31-12](#); and
3. That compliance with this separation requirement will place an undue hardship on the owner of the facility; and
4. That all other applicable provisions of the [Mesa City Code](#) will be observed.

C. **Criteria for Review of Council Use Permit:** The review of the [Council Use Permit](#) shall include a review and determination regarding the following items:

1. The use is found to be in compliance with the [General Plan](#) and other recognized development plans or policies, and will be compatible with surrounding uses; and
2. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations; and
3. A finding that a "[good neighbor policy](#)" in narrative form has been submitted, which

includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses. Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures; and

4. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City [Development Standards](#), including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines.

- D. **General Operations:** Notwithstanding the foregoing, [Correctional Transitional Housing Facility](#) shall not house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or a direct threat of physical damage to the property of others.

### 11-31-13: Day Care Group Homes

[Return to Page 1](#)

[Day Care Group Home](#), as described in Section 11-86-2, shall be located, developed, and operated in compliance with the Land Use Regulations in [Article 2](#) and the following standards:

- A. The location of the home is registered with the [Planning Division](#) and evidence of certification by the [Arizona Department of Health Services](#) is provided to the City;
- B. No identification is visible from a public street by signage, graphics, display, or other visual means;
- C. The building complies with all applicable building and fire safety regulations;
- D. A 6-foot-high solid (opaque) fence or wall is provided between all outdoor play areas and adjacent properties, except within the required front yard, in which fencing requirements shall comply with in the requirements of [Section 11-30-4](#), Fences and Freestanding Walls; and
- E. A separation between such day care group homes of 600 feet or by the presence of significant intervening physical features between an existing day care group home and the proposed day care group home, such as arterial streets, canals, parks, or similar buffering features or developments.

[Return to Page 1](#)

**11-31-14: Group Homes for the Handicapped**

- A. [Group Home for the Handicapped](#) (GHH), as described in Section 11-86-2 shall be located, developed and operated in compliance with the requirements of [Article 2](#) and the following standards:
1. A maximum of 10 residents per home, not including staff.
  2. No identification from a public street by signage, graphics, display, or other visual means, except for signage otherwise permitted by the [Sign Ordinance](#).
  3. Compliance with all applicable building and fire safety regulations.
  4. A separation between such homes of 1200-feet or by the presence of significant intervening physical features between an existing group home for the handicapped and the proposed group home for the handicapped, such as arterial streets, canals, parks, or similar buffering features or developments.
  5. Evidence of license, certification, or registration with the appropriate state or federal agency, if required by such state or federal agency or evidence of a license with the [City of Mesa](#) if no license, certification, or registration is required by a state or federal agency.
  6. Registration of the location with the [Planning Division](#).
- B. Notwithstanding the foregoing, group homes shall not house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or would result in substantial physical damage to the property of others.

**11-31-15: Hospitals and Clinics**

[Hospitals and Clinics](#), as described in Section 11-86-3 shall be located, developed, and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

- A. **Patient Entrances:** Patient entrances shall:
1. Be clearly distinctive from the remainder of the building, and be readily visible from the public street;
  2. Be identified by directional signage in conformance with requirements of [Article 5](#);

3. Include an extended foundation base to provide a patient drop-off area of a minimum 900 sqft, extending a minimum 20-feet measured perpendicular from the patient entrance door “ See FIGURE [11-31-15.A](#) & [11-31-15.B](#)”; and
4. Pedestrian connections within parking areas, to other buildings on site, and to the public street and transit shall follow the requirements of [Section 11-30-8](#), Pedestrian Connections and [Section 11-32-4\(G\)3](#), Pedestrian Access.

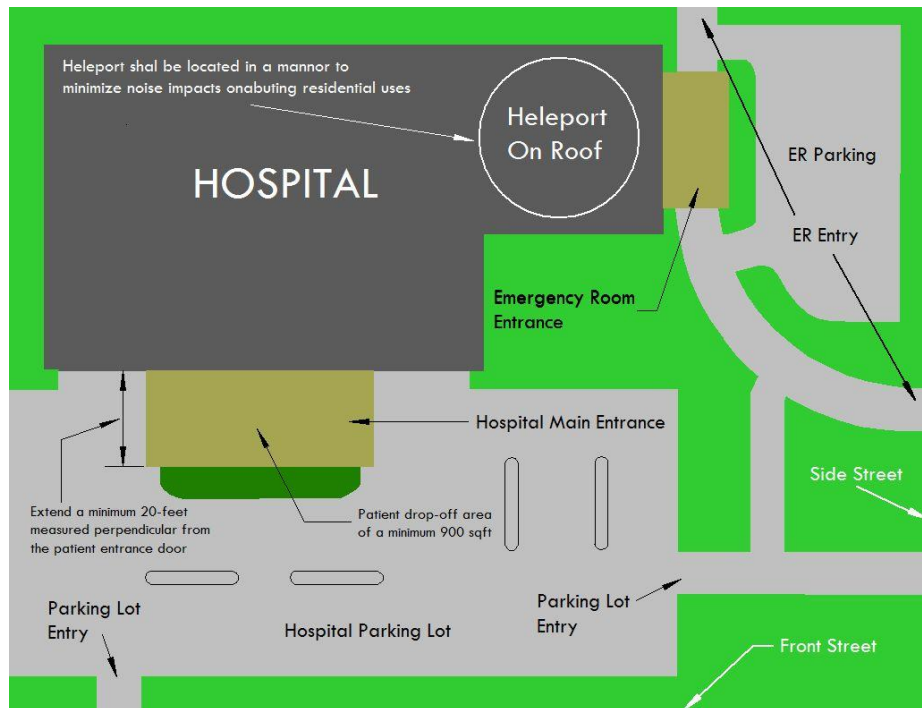


FIGURE 11-31-15.A: HOSPITALS AND CLINICS



**FIGURE 11-31-15.B: PATIENT ENTRANCES**

- B. **Emergency Room Access.** Emergency room access shall be separate and distinct from the patient entrance(s), with directional signage in conformance with the requirements of [Article 5](#). Vehicle access drives leading to the Emergency Room shall be direct from the street and separated from parking lanes and spaces by intervening buildings, extruded curbs and landscape islands. “See FIGURE [11-31-15.C](#) and [11-31-15.D](#)”

**FIGURE 11-31-15.C.1: EMERGENCY ROOM ACCESS**





**FIGURE 11-31-15.C.2: EMERGENCY ROOM ACCESS**

- C. **Storage of Liquid Chemicals and Bulk Materials.** Liquid oxygen and other similar materials stored outdoors and in bulk shall be screened from ground-level view by the building, screen wall, or screen walls in combination with landscape materials. If landscape materials are used, the mature height of the plant according to [ANA](#) standards may be taken into consideration, provided the size of the tree at planting is a minimum of 36-inch box.
- D. **Heliports.** “See [FIGURE 11-31-15.A](#)” Heliports associated with a hospital are permitted, and shall be located in a manner to minimize noise impacts on abutting residential uses, according to the following preferences:
1. First Preference: Ground on side of building opposite any abutting residential areas.
  2. Second Preference: Roof level of building less than the highest point on side of building away from residential areas.
  3. Third Preference: Roof at top of building.

### **11-31-16: Large Format Retail**

[Return to Page 1](#)

[Large Format Retail](#), as described in Section 11-86-4, buildings shall be located, developed and operated in compliance with the land use regulations in [Article 2](#), and the following standards:

- A. **Section 11-6-5 Standards Apply.** Large Format Retail buildings shall comply with all requirements of [Section 11-6-5](#), without regard to minimum floor area requirements.

[Return to Page 1](#)



- B. **Customer Entrances.** All entries designed for general public and customer access to the building shall:
1. Be clearly visually distinctive from the remainder of the building, and be readily visible from the public street;
  2. Include an extended foundation base to provide a customer drop-off area of a minimum 900 sqft, extending a minimum 20-feet measured perpendicular from the public entrance door “ See FIGURE [11-31-16.B.2](#) & [11-31-16.B.2.2](#); and
  3. Comply with the requirements of [Section 11-30-8](#), Pedestrian Connections and [Section 11-32-4\(G\)3](#), Pedestrian Access regarding all pedestrian connections within parking areas to other buildings on site, to the public street, and to transit stops or stations.

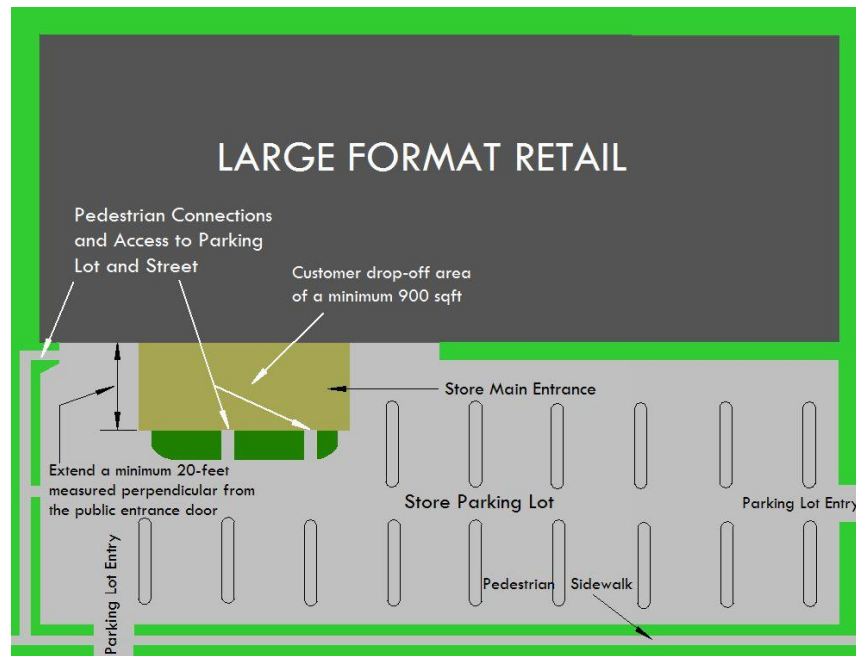


FIGURE 11-31-16.B.2: STORE ENTRIES



FIGURE 11-31-16.B.2.2: STORE ENTRIES

C. **Large Format Retail in “-U” Designated Areas.** In addition to the development standards specified in [Section 11-6-4](#) and [Section 11-6-5](#), Large Format Retail buildings located in “-U” designated areas shall comply with the following requirements:

1. **Number of Store Entries.** Buildings greater than 200-feet wide shall provide a minimum of 2 public entries to the store building. Store buildings greater than 300-feet wide shall provide public entries from the street at a ratio of 1 entry for every 150 linear feet of building width. Public entries shall have a minimum separation of 50-feet between entries.

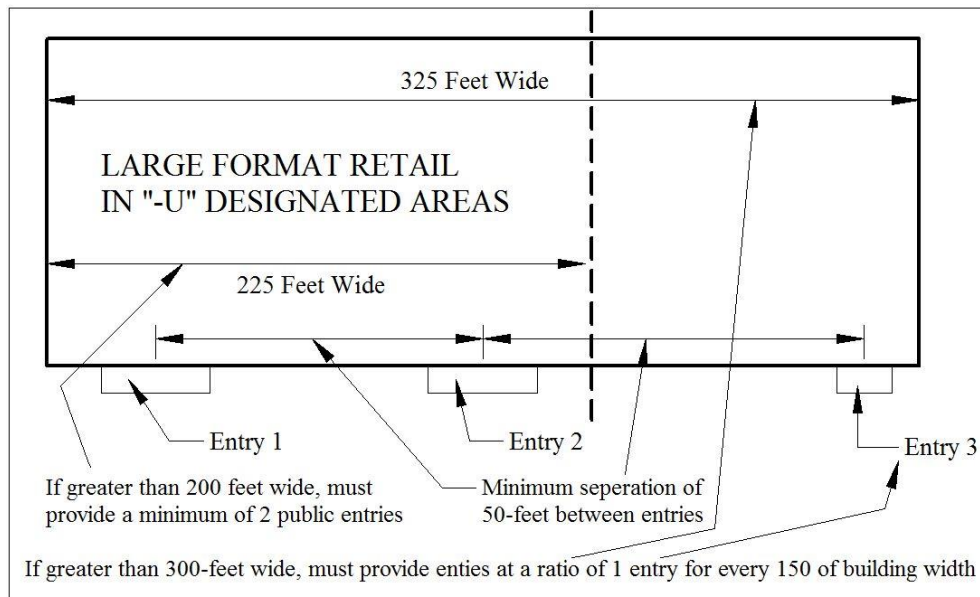


FIGURE 11-31-16.C.1: NUMBER OF STORE ENTRIES

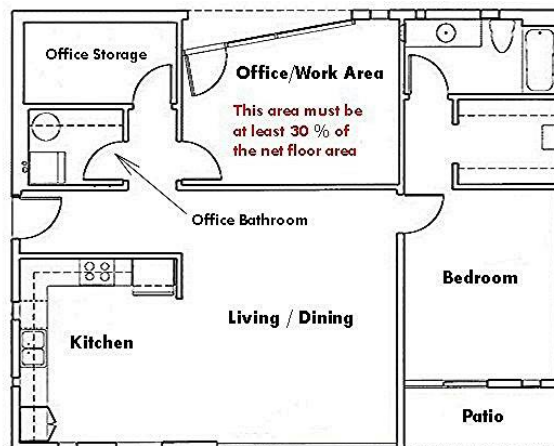
2. Maximum Setback Standard. The ground level of a building or buildings shall be placed no further back than the maximum setback for a minimum of 65 percent of the width of the building.
  3. Corner Properties. Where a property fronts on 2 or more streets, the building shall be placed at the maximum setback or closer to the street right-of-way on 2 sides for at least 65 percent of the building width on one street side, and for 50 percent of the building width on the second side. For lots fronting more than 2 streets, this requirement shall be met along the frontage of the two streets with the highest functional classification in the [Mesa General Plan \(Figure 3-1, Functional Classification, in the Transportation Element\)](#). If all streets adjacent to the property have the same functional classification, the developer shall choose which 2 street frontages apply.
- D. **Criteria for Review of Council Use Permit:** When required, the review of the [Council Use Permit](#) for a [Large Format Retail](#) Store shall include a review and determination regarding the following items:
1. The use is found to be in compliance with the General Plan and other recognized development plans or policies, and will be compatible with surrounding uses; and
  2. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations; and [Return to Page 1](#)
  3. A finding that a "[good neighbor policy](#)" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses. Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures; and
  4. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City development standards, including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines.
  5. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use shall adequately provide paved parking and on-site circulation in a manner that minimizes impacts on adjacent sites; and existing or proposed improvements to the site shall minimize dust, fugitive light, glare, noise, offensive smells and traffic impacts on neighboring residential sites.

[Return to Page 1](#)

**11-31-17: Live/Work Units**

Live-Work Units, as described in Section 11-86-4, shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

- A. **Establishment.** Live/Work Units may be established through new construction or through the conversion of existing commercial or industrial buildings that were designed, constructed and received an occupancy permit for such non-residential uses. See FIGURE 11-31-17.A
- B. **Allowable Uses.** Work activities in Live-Work Units are limited to uses as permitted in the base zoning district in which the Live/Work Units are located.
- C. **Sale or Rental of Portions of Unit Prohibited.** No portion of a Live/Work Unit may be separately rented or sold as a commercial space for a person or persons not living on the premises, or as a residential space for a person or persons not working on the premises.
- D. **Floor Area Distribution.** At least 30 percent of the net floor area of a Live/Work Unit must be designated for work activities. An applicant shall submit a floor plan of all proposed units to the Planning Division to demonstrate compliance with this regulation.
- E. **Outdoor Living Area.** Common or private on-site open space shall be provided for the use of occupants at a rate of at least 150 square feet per Live-Work Unit. This space may be attached to individual units or located on the roof or adjoining the building in a rear yard.

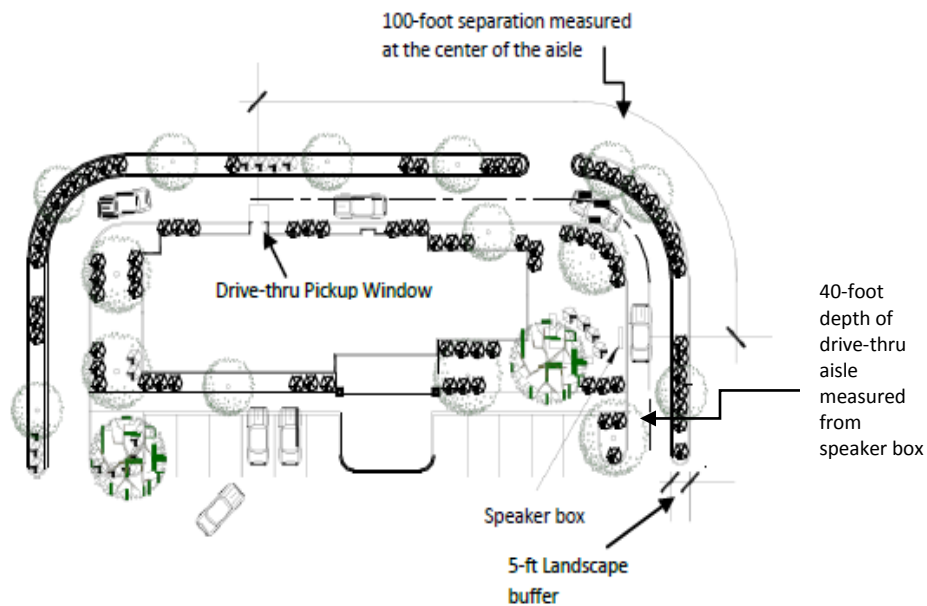


**FIGURE 11-31-17.A: LIVE/WORK UNIT**

**11-31-18: Drive- thru facilities**

Design Objective: Mitigate the visual impact of drive-thru facilities such as fast food restaurants, pharmacies, banks, and cleaners. Where authorized, drive-thru facilities shall conform to the following requirements

- A. Physically separate drive-thru traffic lane from the non-drive-thru traffic area with a five foot (5') wide raised landscape median.
- B. Provide 2-foot foundation base along exterior building where adjacent to drive-thru lane.
- C. Pick-up windows to be architecturally integrated in proportion, color, material and texture to the building it serves. Where windows extend out from building face, projection is to be 2 - foot minimum. Provide awnings or architecturally integrated structures for weather protection.
- D. Provide 40-inch high screen walls adjacent to the public right-of- way.
- E. Unless otherwise approved by site plan review, provide at least 100-foot long stacking distance between pick-up window and order-placing speaker, with at least 40-foot long stacking distance between order-placing speaker and entry to the drive-thru lane. Distance measured at centerline of drive-thru lane.

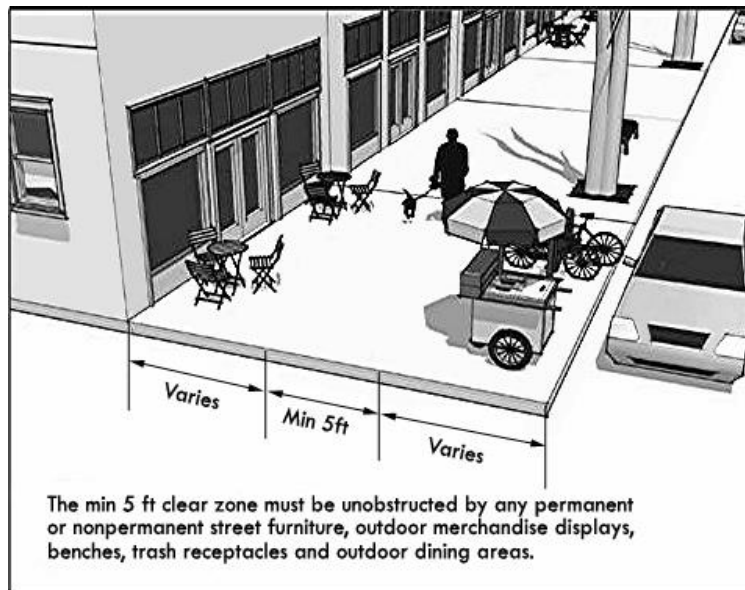


**Figure 11-31-8 Drive-thru Facilities**

**11-31-19: Outdoor Eating Areas**

Outdoor eating areas in conjunction with an [Eating and Drinking Establishment](#), as described in Section 11-86-4, shall be located, developed, and operated in compliance with the land use regulations in [Article 2](#) and the following standards: See FIGURES [11-31-19.A](#) and [11-31-19.B](#)

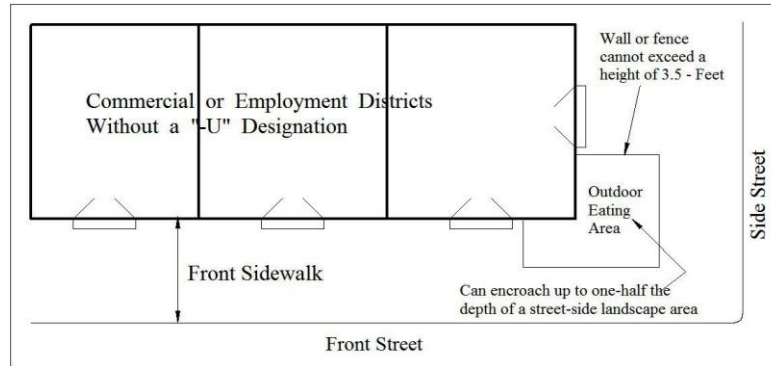
- A. **Location.** Outdoor eating areas may be permitted within the buildable area of the lot, and:
1. For mixed and “-U” designated areas, outdoor eating areas are permitted on any public sidewalk, provided a minimum of continuous 5 foot width of public sidewalk remains unobstructed for pedestrian uses. An encroachment permit shall be required.



**FIGURE 11-31-19.A.1: OUTDOOR EATING AREAS**



2. For any commercial district without a “-U” designation, or any employment district, outdoor eating are permitted to encroach up to one-half the depth of a street-side landscape area, provided that any wall or fence that surrounds that portion of the outdoor eating area that encroaches does not exceed a height of 3.5-feet high.



**FIGURE 11-31-19.A.2: OUTDOOR EATING AREAS**

- B. **Enclosures.** Awnings or umbrellas may be used in conjunction with an outdoor eating area. Awnings shall be adequately secured, retractable, and shall comply with the provisions of the [Mesa Building Code](#), Title 4 of the [Mesa City Code](#). In all districts except the [MX](#) and “-U” designated districts, permanent roofs or shelters over the public sidewalk are prohibited. In the [MX](#) and “-U” designated districts, permanent roofs or shelters over the public sidewalk require the review and approval of the City Engineer.
- C. **Fixtures.** Furnishings provided for use in an outdoor eating area located within a public sidewalk shall consist only of movable tables, chairs, umbrellas, planters, lights, and heaters. Lighting fixtures may be permanently affixed onto the exterior front of the building.



**FIGURE 11-31-19.C: FURNISHINGS IN OUTDOOR EATING AREAS**

- D. **Refuse Storage Area.** No trash enclosure shall be erected or placed on or adjacent to an outdoor eating area on the public sidewalk or right-of-way.
- E. **Certification.** Outdoor Eating Areas that encroach into right-of-way require submission of a [Certificate of Insurance](#) which complies with the requirements of the [City Attorney's Office](#).

### 11-31-20: Outdoor Retail Sales

[Return to Page 1](#)

Outdoor retail sales (not including automobile/vehicle sales or rental lots, or equipment sales or rental lots), where the business is not conducted entirely within a structure or enclosed area, shall be located, developed, and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

- A. **Permanent Outdoor Display/Sales.**
1. **Location of Sales Area.** The outdoor sales shall be located entirely on private property, in compliance with any required setback, except [DC](#), [MX](#) and [-U](#) designated districts.
  2. **Screening Required.** All outdoor sales and activity areas shall be screened from adjacent public rights-of-way by decorative solid walls, fences, or landscaped berms, a minimum of 42 inches high. Outdoor sales areas along the street frontage in the [DC](#), [MX](#) and [-U](#) designated districts are not required to be screened.
  3. **Location of Merchandise.** Displayed merchandise shall occupy a fixed, specifically approved and defined location that does not disrupt the normal function of the site or its circulation and does not encroach upon required parking spaces, driveways, pedestrian walkways, or required landscaped areas. These displays shall also not obstruct sight distance or otherwise create hazards for vehicle or pedestrian traffic.
- B. **General Requirements.** The following requirements shall apply to all (temporary and permanent) outdoor display/sales activities:
1. **Height of Displayed Materials.** The outdoor sales shall not exceed a height of 7 feet above finished grade for a single display item. Stacked displays may not exceed a height of 6 feet above finished grade.
  2. **Relationship to Main Use.** The sales shall be directly related to a business establishment on the parcel and occupy a permanent structure on the parcel.

[Return to Page 1](#)



The use of the property shall comply with the standards for the zoning district within which the property is located.

C. **Exceptions.** The provisions of this section do not apply to the following:

1. Sales or distribution of newspapers or periodicals in compliance with the [Mesa City Code](#).
2. Sales from the public right-of-way in compliance with the [Mesa City Code](#), Title 5.

### 11-31-21: Pawn Shops

[Return to Page 1](#)

[Pawn Shops](#), as described in Section 11-86-4, shall be located, developed, and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

- A. **License required.** A pawn broker license issued pursuant to [Title 5, Chapter 7](#) of the Mesa City Code is required, or evidence of current and/or future compliance with all requirements of [Mesa City Code Title 5, Chapter 7](#) pertaining to the issuance of a pawn broker's license.
- B. **Location.**
1. Minimum distance from another pawn shop: 1,200 feet. Minimum distance from a public or private school: 1,200 feet.
  2. Exceptions to the 1,200 foot separation requirement may be approved by the [City Council](#) upon a finding that there are significant intervening physical features, such as arterial street, canals, parks, or similar buffering features or developments, between a proposed pawn shop and an existing pawn shop or Public or Private School.
- C. **Criteria for Review of Council Use Permit:** The review of the [Council Use Permit](#) shall include a review and determination regarding the following items:
1. The use is found to be in compliance with the [General Plan](#) and other recognized development plans or policies, and will be compatible with surrounding uses; and
  2. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations; and

[Return to Page 1](#)

3. A finding that a "[good neighbor policy](#)" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses. Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures; and
4. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City [Development Standards](#), including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines.
5. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use shall adequately provide paved parking and on-site circulation in a manner that minimizes impacts on adjacent sites; and existing or proposed improvements to the site shall minimize dust, fugitive light, glare, noise, offensive smells and traffic impacts on neighboring residential sites.

#### 11-31-22: Places of Worship

[Return to Page 1](#)

[Places of Worship](#), as described in Section 11-86-4, shall be located, developed, and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

- A. **Accessory Uses.** Accessory uses customarily found in conjunction with Places of Worship, including parish houses, parsonages, rectories, seminaries, classrooms, and convents, are permitted, provided that such accessory uses are located on the same lot or contiguous lot with the religious facility.
- B. **Athletic Facilities and Day Care Centers.** Athletic facilities and day care centers in conjunction with [Places of Worship](#) require approval of a [Special Use Permit](#).
- C. **Residential Districts.** [Places of Worship](#) located in residence districts shall:
  1. Locate buildings within the required setbacks for the building setbacks specified for that zoning district;
  2. Comply with design standards for the [LC](#) district, unless located within an area designated by the [U Character Designator](#), when it would then comply with [LC-U](#) design standards.

[Return to Page 1](#)

D. **Building Setback, Building Height, Parking, Landscaping and Screening Standards.** [Places of Worship](#) shall comply with each of the following:

1. The building setback and building height requirements established by the zoning district for which the [Places of Worship](#) is located; unless modified as a building height exception pursuant to [Section 11-30-3](#).
2. Landscaping and Screening requirements as specified for a [LC](#) development, pursuant to [Section 11-30-9](#) and [Chapter 33](#). In the event character designators “-U” or “-A” are established for the [Places of Worship](#) site, the development standards associated with such character designators shall also apply.
3. All parking requirements specified in [Chapter 32](#).

**11-31-23: Recycling Collection and Processing Facilities**

[Return to Page 1](#)

A. **Recycling Collection Facilities**, as described in [Section 11-86-5](#) shall be located pursuant to the requirements of [Article 2](#), and developed and operated in compliance with the following standards:

1. **Location.** The facility must be established in conjunction with an existing commercial use or community service facility and not obstruct pedestrian or vehicular circulation.
2. **Minimum Distance** from an R ([RS](#), [RSL](#) or [RM](#)) Zones shall be 100 feet.
3. **Maximum Size:**
  - a. [Small Indoor Collection Facility](#) shall occupy no more than 1000 square feet of space.
  - b. [Reverse Vending Machines](#) shall occupy no more than 350 square feet of space
4. **Power-Driven Equipment.** Power-driven processing equipment, except for reverse vending machines, is not permitted.
5. **Storage Container.** All recyclable material must be stored in containers. Materials may not be left outside of containers. Containers shall be stored within an enclosed building, when required by the zoning district. For reverse vending machines, such containers shall be stored within the machine.

[Return to Page 1](#)

6. **Maintenance.** Facilities must be maintained free of litter and any other undesirable materials, and mobile facilities for which truck or containers are removed at the end of the collection day, must be swept at the end of the collection day.
  7. **Required Container Information.** Containers shall be clearly marked to identify the type of materials that may be deposited; the facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation, and display a notice stating that no material shall be left outside of the building or reverse recycling machine.
  8. **Reduction of Parking.** Occupation of parking spaces by a reverse vending facility and by the attendant (if present) may not reduce available parking spaces below the minimum number required for the site.
- B. **Recycling Processing Facilities** shall be located pursuant to the requirements of [Article 2](#), and developed and operated in compliance with the following standards:
1. **Operation—Fence, Wall or Enclosed Building Required.** All operations and storage, including all equipment used in conducting such use, other than parking, shall be conducted within an enclosed building or within an area enclosed by a solid wall or solid fence.
  2. **Specifications for Walls and Fences.** [Return to Page 1](#)
    - a. All fences and walls shall be of a uniform height, and shall be a minimum of eight feet and shall not exceed 15 feet in height. Where fences or walls exceed a height of 10 feet and are located on street or highway frontages, they shall be set back at least three feet from the lot line. The area between the fence and the lot line shall be fully landscaped according to the specifications described in this section.
    - b. All fences and walls open to view from any street or highway or any area in a residential, agricultural or commercial zone shall be constructed of the following materials:
      - i. Metallic panels, at least .024 inches thick, painted with a “baked on” enamel or similar permanent finish;
      - ii. Masonry;
      - iii. Other materials comparable to the foregoing if approved by the [Director](#).

- c. Other required fences may be constructed of material other than as specified above.
  - d. All fences and walls shall be constructed in workmanlike manner and shall consist solely of new materials unless the [Director](#) approves the substitution of used materials where, in his opinion, such used materials will provide the equivalent in service, appearance and useful life.
  - e. All fences and walls, excluding masonry and approved permanent-finish panels, shall be painted a uniform, neutral color, excluding black, which blends with the surrounding terrain, and improvements shall be maintained in a neat, orderly condition at all times. Such fence or wall shall contain no painted signs or posters except as approved by the [Director](#).
  - f. Modifications, When Authorized. The [Director](#) may modify fences or walls not exposed to view from any street or highway or any area in a residential, agricultural or commercial zone:
    - i. Where an adjoining lot is located within a [GI](#) zone, and is developed with an automobile dismantling yard, junk and salvage yard, scrap metal processing yard, or other open storage use displaying similar characteristics; or
    - ii. Where substantial fences, walls or buildings on abutting properties serve to enclose such yard as well or better than the required wall or fence. Should the use, fence, wall or building providing justification for such modification be removed, a new wall or fence shall be provided in compliance with this section within six months from the date of such removal.
- C. **Paving of Yards.** All areas of the yard open to vehicular passage shall be paved with an asphalt surfacing or an oil and aggregate mixture to prevent emission of dust or tracking of mud onto public rights-of-way; provided, however, the [Director](#) may approve other paving materials which provide, in his opinion, the equivalent in service and useful life.
- D. **Storage Limitations.**
- a. Salvage or junk shall not be placed or allowed to remain outside of the enclosed yard area, but may be stored above the height of the fence or wall, provided such storage is not within 10 feet of an exterior lot line.

- b. Where the land upon which the yard is located is in a [GI](#) zone, and such storage above said fence or wall is not within 500 feet of any different zoning district other than a [GI](#) zone, the 10-foot setback shall not apply.

**11-31-24: Schools**[Return to Page 1](#)

[Schools](#), as that term is defined in [Section 11-86-3](#) shall be located, developed, and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

- A. **Accessory Uses.** Accessory uses customarily found in conjunction with schools, including classrooms, dormitories, stadiums, and auditoriums are permitted provided such accessory uses are located on the same lot or contiguous lot with the school.
- B. **Building Setback, Building Height, Parking, Landscaping and Screening Standards.** Schools shall
  - 1. Comply with the building setback and building height requirements established by the zoning district for which the School is located; unless modified as a building height exception pursuant to [Section 11-30-3](#);
  - 2. Comply with Landscaping and Screening requirements as specified for a [LC](#) development, pursuant to [Chapters 6](#) and [Chapter 33](#); and
  - 3. Comply with all parking requirements specified in [Chapter 32](#).
  - 4. In the event the school is located in a Downtown, Mixed or “[-U](#)” designated district, [Section 11-6-4](#), Special Standards for Districts with “[-U](#)” Character Designator shall apply rather than [Section 8-6-3](#).

**11-31-25: Service Stations**

[Service Stations](#), as described in [Section 11-86-4](#), shall be located, developed, and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

- A. **Location.** Maximum number of service stations permitted **at an arterial intersection** is total of 2.
- B. **Minimum Frontage.** 100 feet on each street.
- C. **Pump Canopy.** Pump islands shall be covered by a canopy that matches or complements the design of the main structure.

[Return to Page 1](#)

- D. **Landscaping.** Landscaping shall comprise a minimum 10 percent of the site area, exclusive of required setbacks, and include an irrigation system that is permanent, below-grade, and activated by automatic timing controls.
- E. **Fencing.** Masonry only.
- F. **Lighting.** All exterior light sources, including canopy, perimeter, and flood, shall be stationary, and shielded or recessed within the roof canopy to ensure that all light is directed away from adjacent properties and public rights-of-way. No lens of any lighting fixture may extend below the shielding device. Lighting shall not be of a high intensity so as to cause a traffic hazard, be used as an advertising element, or adversely affect adjacent properties.
- G. **Litter.** A minimum of 1 permanent, non-flammable trash receptacle shall be installed at each pump island.
- H. **Urban Character Designator Design Standards.** When located in a “[-U](#)” designated district, the main structure containing the office, cashier, retail shop and/or other services shall be placed between the pump canopy and the street right-of-way no further back from the property line than the maximum setback. When located on a corner, the street with the higher functional classification shall be used to determine compliance with this requirement.
- I. **Criteria for Review of Special Use Permit:** When required, the review of the [Special Use Permit](#) for a [Service Station](#) shall include a review and determination regarding the following items:
1. The use is found to be in compliance with the [General Plan](#), applicable [Sub Area Plans](#), and other recognized development plans or policies, and will be compatible with surrounding uses; and
  2. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations; and [Return to Page 1](#)
  3. A finding that a "[good neighbor policy](#)" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses, including sound attenuation, lighting control measures, and vehicular access and traffic control. Such policies shall include, but are not limited to, the name and telephone number of the position, manager or person

responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures; and

4. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City [Development Standards](#), including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines.
5. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use shall adequately provide paved parking and on-site circulation in a manner that minimizes impacts on adjacent sites; and existing or proposed improvements to the site shall minimize dust, fugitive light, glare, noise, offensive smells and traffic impacts on neighboring residential sites.

#### 11-31-26: Social Service Facilities

[Return to Page 1](#)

[Social Service Facilities](#), as described in Section 11-86-3 shall be located, developed, and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

- A. **Location.** [Social Service Facilities](#) are not allowed on Main Street, within the designated Town Center Redevelopment Area.
- B. **Minimum Standards.** All [Social Service Facilities](#) shall provide: adequate and accessible sanitary facilities, including lavatories, rest rooms and refuse containers; sufficient patron seating facilities for dining, whether indoor or outdoor; effective screening devices such as landscaping and masonry fences in conjunction with outdoor activity areas; a plan of operation, including but not limited to, patron access requirements, hours of operation, measures used to control potential client congregation on the site during non-operating hours, security measures, litter control, and noise attenuation. Further, evidence of compliance with all [Building and Fire Safety](#) regulations and any other measures determined by the [City Council](#) to be necessary and appropriate to ensure compatibility of the proposed use or uses with the surrounding area shall be provided with permit applications.
- C. **Applicable Guidelines.** All [Social Service Facilities](#) are subject to the Social Service Facilities Guidelines adopted by the City.
- D. **Criteria for Review of Council Use Permit:** When required, the review of the [Council Use Permit](#) shall include a review and determination regarding the following items:

[Return to Page 1](#)



1. The use is found to be in compliance with the [General Plan](#), [Sub Area Plans](#) and other recognized development plans or policies, including the [Social Service Facility Guidelines](#) and will be compatible with surrounding uses; and
2. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations; and
3. A finding that a "[good neighbor policy](#)" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses. Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures; and
4. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City [Development Standards](#), including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines.

#### 11-31-27: Special Events

[Return to Page 1](#)

- A. Special events as defined in [Chapter 87](#) of this Title are permitted in all zoning districts, provided that:
  1. The event is licensed in accordance with the provisions of [Title 5](#) of the [Mesa City Code](#);
  2. The duration of the event does not exceed the time period specified in the special event license or a maximum of 4 consecutive days, whichever is less;
  3. No more than 4 events are conducted on the same premises during the calendar year;
  4. The site of the event is adequately served by utilities and sanitary facilities; and
  5. The event will not present a safety hazard or public disturbance and will not cause substantial adverse impacts on surrounding properties or land uses by creating excessive noise, glare, heat, dust, odors, or pollutants as determined by the [Director](#) and [Fire Marshal](#).
- B. Special events shall be conducted only on a lot that has an approved dust proof parking surface with permanent driveway access. Decomposed granite or Aggregate Base Course

[Return to Page 1](#)

(ABC) gravel surfacing may be substituted for paving subject to approval by the [Director](#) and [Fire Marshal](#).

- C. Facilities, structures, and utilities shall be installed and maintained in conformance with all applicable building, fire, traffic, and zoning regulations.
- D. The maximums specified in [A\(2\)](#) and [\(3\)](#) of this Section may be exceeded:
  - 1. **Outside of the Downtown Events Overlay District:** Only as authorized by approval of a [Special Use Permit](#) in accordance with [Article 7](#) of this Ordinance.
  - 2. **Within the Downtown Events Overlay District,** without limit to the number of events that may occur in a calendar year. Individual events that exceed the maximum of 4 days per event shall require a [Special Use Permit](#) in accordance with [Article 7](#) of this Ordinance.

**11-31-28: (Reserved)**

[Return to Page 1](#)

**11-31-29: Temporary Parking Lots**

[Return to Page 1](#)

- A. Stadiums, performing arts centers, competitive aquatics facilities, and similar public event facilities, with a required parking count of at least 300 spaces, are permitted to utilize temporary or overflow parking lots in [DB-1](#), [DB-2](#) and [DC](#) districts, subject to the issuance of a [Special Use Permit](#), in accordance with [Article 7](#) of this Ordinance.
- B. A Special Use Permit may be approved for a Temporary Parking Lot that:
  - 1. Has an approved dust-proofed surface;
  - 2. Is screened from an adjacent residential use by an opaque fence or similar feature at least 6 feet in height;
  - 3. Has lighting that is fully screened to prevent light spillover onto adjacent properties, if lighting is provided on the temporary parking lot;
  - 4. Is located within 1,200 feet of the public facility being served. The 1,200 feet shall be measured directly from the nearest edge of the property lines between the proposed temporary parking lot and the public event facility;
  - 5. Is in conformance with [City Council](#) policies; and

[Return to Page 1](#)

6. Is compatible with, and not detrimental to, adjacent properties or the neighborhood in general.
- C. Conditions of approval may be stipulated by the [Zoning Administrator](#) or Board of Adjustment to ensure compatibility with adjacent land uses.

### 11-31-30: Temporary Uses: Swap Meets and Farmer's Markets

- A. **Swap Meets**, as described in [Section 11-86-4](#), shall be located, developed, and operated in compliance the land use requirements in [Article 2](#) and with the following standards:
1. **Location of Merchandise.** Displayed merchandise shall not encroach upon required parking spaces, driveways, pedestrian walkways, or required landscaped areas. These displays shall also not obstruct sight distance or otherwise create hazards for vehicle or pedestrian traffic.
  2. **Maintenance.** Swap Meets shall be kept clean and free of litter and debris.
  3. **Required Parking.** Required parking spaces for Swap Meets shall meet the ratio specified in [Chapter 32](#), On-Site Parking, Loading, and Circulation, unless otherwise approved by a [Special Use Permit](#), in accordance with [Article 7](#) of this Ordinance.
  4. **Discontinuance of Use.** All temporary, non-permanent structures and related equipment shall be removed from the site or otherwise stored in enclosed buildings on days the swap meet is closed to the public.
- B. **Farmer's Markets**, as described in [Section 11-86-4](#), shall be located, developed, and operated in compliance with the land use requirements in [Article 2](#), and the following standards:
1. **Location of Merchandise.** Preference is given to vendor placement on sidewalks and other pedestrian oriented areas provided a minimum 6-foot wide accessible lane is maintained in front of each vendor space. If a parking lot is used, all parking spaces in excess of 90% of the minimum number required for the commercial development may used for vendor spaces. Displayed merchandise shall not encroach upon driveways, fire lanes, [ADA](#) accessible pedestrian walkways leading from the perimeter of the site, or required perimeter landscaped areas. The [Farmer's Market](#) displays shall also not obstruct sight distance for vehicles exiting the site or otherwise create hazards for vehicle or pedestrian traffic.

[Return to Page 1](#)

[Return to Page 1](#)

2. **Maintenance.** Farmer's Markets shall be kept clean and free of litter and debris.
3. **Required Parking.** If no other activity takes place on the site, or the [Farmer's Market](#) takes place more than 2 times in any given 7-day period, required parking spaces for Farmer's Markets shall be calculated based upon the ratio specified in [Chapter 32](#), On-Site Parking, Loading, and Circulation, unless otherwise approved by a [Special Use Permit](#). If the Farmer's Market occurs 2 or fewer times in any given 7-day period, and takes place on an improved development site with an existing number of parking spaces equal to what would be required for the farmer's market area, then no additional spaces are required.
4. **Discontinuance of Use.** All temporary, non-permanent structures and related equipment shall be removed from the site, or stored within enclosed buildings, on days the [Farmer's Market](#) is closed to the public.

### 11-31-31: Residential Uses in Commercial Districts

[Return to Page 1](#)

Residential uses are permitted in commercial districts as provided in [Section 11-6-2](#), and shall be located, developed and operated in compliance with the following standards:

- A. Residential uses are permitted in the [NC](#), [LC](#) and [GC](#) districts, provided:
  1. A minimum of 40 percent of the Gross Floor Area of the entire project is reserved for non-residential uses.
  2. A minimum of 65 percent of the ground floor of each building remains reserved for non-residential uses.
  3. Maximum residential density shall be no more than 15 dwelling units per acre in the [NC](#) district, and no more than 25 dwelling units per acre in the [LC](#) and [GC](#) districts.
- B. Accessory Residential Uses are permitted in the [NC](#), [LC](#) and [GC](#) districts, subject to approval of a [Special Use Permit](#). A maximum of one Accessory Residential Use is permitted per parcel.
- C. Developments in compliance with the residential density maximums specified in [Table 11-6-3A](#), and in compliance with commercial floor area requirements in [Paragraph A](#) shall require Site Plan Review, as described in [Chapter 69](#). Site Plan Review for such requests shall be decided by the [City Council](#) after the [Planning & Zoning Board](#) holds a public hearing and forwards a recommendation.

[Return to Page 1](#)

- D. Developments exceeding the residential density maximums specified in [Table 11-6-3A](#) and in compliance with commercial floor area requirements specified in Paragraph A shall require approval of a [Council Use Permit](#).
- E. **Criteria for Review of Council Use Permit:** When required, the review of the [Council Use Permit](#) shall include a review and determination regarding the following items:
1. The use is found to be in compliance with the [General Plan](#), [Sub Area Plans](#) and other recognized development plans or policies, and will be compatible with surrounding uses; and
  2. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations; and
  3. A finding that a "[good neighbor policy](#)" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses; including measures to assure that commercial activity will remain as a viable activity on this site; and
  4. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City development standards, including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines.

### 11-31-32: Superior Design

[Return to Page 1](#)

For a project to reflect Superior Design it will incorporate all of the following elements:

- A. **Holistic Approach to Project Design.** Varied, high-quality, regionally-appropriate building materials, used in distinctive building forms, building massing and detailing that result in a note-worthy example of holistic site design, architecture, landscaping and signage; and
- B. **Responsive Approach to Site and Sub-Area Context.** Architectural and landscape architecture details and features that reflect the character defined in [Sub Area Plans](#) or Character Area [Design Guidelines](#), that are harmonious with adjacent development patterns, integrate with the physical conditions of the immediate site, and create a unique sense of place; and
- C. **Sustainable Design.** Site design, architecture and landscaping features that address the local climate to reduce summer sun penetration and provide summer sun shade protection for pedestrians, promote energy and water conservation, promote the preservation or

[Return to Page 1](#)

creation of open space, provide for and encourage the use of multiple modes of transportation, utilize existing infrastructure, and create the opportunity for social interaction; and

- D. **Exceeds Standards.** Provision of details and features that exceed the criteria and standards specified in sections [11-5-5](#), [11-6-4](#), [11-6-5](#) (if applicable), [11-7-3](#), [11-8-5](#), [11-8-6](#) and [Chapters 30 through 34](#), as applicable; and where applicable.
- E. **Great Public Spaces.** Details and features that create attractive, comfortable environments for pedestrians; ensure safe, useful and well integrated open or public spaces; and include high quality amenities.

### 11-31-33: Home Occupations

[Home Occupations](#), as defined in [Chapter 87](#), are permitted as specified in [Article 2](#), limited by the following:

- A. In all residence, commercial, mixed-use and downtown districts, the following standards apply:
1. There is no nonresident employee working at the [Home Occupations](#) site,
  2. There is no commercial storage on the [Home Occupations](#) site, interior or exterior,
  3. The [Home Occupations](#) site is not used for day-long or other long-term parking of vehicles used by non-resident employees, or clients for personal or business use,
  4. Any short-term employee or client parking that is needed occurs on the [Home Occupations](#) property or on the street immediately in front of the residence; and
  5. There is no exterior indication of a nonresidential use, outside of a one, non-illuminated, static message sign of no more than 3 square feet in area attached to the building or placed in a window.
- B. In the [AG](#), [RS-90](#) and [RS-43](#) districts:
1. The definition of “[Home Occupations](#)” may be expanded to include on-site fabrication of artisan or custom crafted materials for installation at a different location when conducted within an enclosed, sound attenuated building.

2. [Home Occupations](#) that are not in conformance with items 1 through 5 in [Paragraph A](#), above, shall require approval a [Special Use Permit](#), pursuant to [Chapter 67](#) and [70](#). Such [SUP](#)'s shall be limited as follows
  - a. No more than 2 non-resident employees;
  - b. 1 on-site, independently accessed parking space provided for each non-resident employee. The parking space(s) shall be located on a dust-proof surface, and shall be in addition to required minimum parking for the residence;
  - c. Any commercial storage occurs entirely within an enclosed structure; and
  - d. The primary residence, and all accessory buildings and structures, shall comply with the requirements of [Section 11-5-3](#) and [11-5-7\(B\)](#)

### **11-31-34: Medical Marijuana Facilities**

[Return to Page 1](#)

Medical Marijuana Related Facilities, including Dispensaries, Cultivation Facilities and Infusion Facilities, each as defined in [Section 11-86-5](#):

- A. [Medical Marijuana Dispensaries](#) are permitted only in the [LI](#) and [GI](#) Districts, provided that evidence has been demonstrated of compliance with all of the following:
  1. Registration of the location of the Dispensary and any associated Off-site [Cultivation Facilities](#) with the [Planning Division](#). Such registration shall be valid for a period of one (1) year from the date of registration, and may be renewed only in the event the [Arizona Department of Health Services](#) (DHS) also renews the DHS dispensary Registry Certification. Application for and subsequent issuance of an active [Medical Marijuana Dispensaries](#) registry certification from the Arizona Department of Health Services pursuant to [A.R.S § 36-2804](#). If the Department of Health Services denies the issuance or renewal of a registry certification, the [Planning Division](#) registration of the location of the dispensary and associated facilities, specified in [Sub-section E](#), below, shall expire immediately.
  2. The dispensary shall be located a minimum distance of 5,280-feet from the next nearest registered [Medical Marijuana Dispensary](#), including dispensaries located in neighboring jurisdictions.
  3. The dispensary shall be located a minimum distance of 2,400-feet from the following land uses:
    - a. Residential Substance Abuse Facilities,
    - b. Alcohol Rehabilitation Facilities,

[Return to Page 1](#)



- c. [Correctional Transitional Housing Facility](#); and.
  - d. Off-site [Medical Marijuana Cultivation Facilities](#) (Except the dispensary specifically associated with the off-site cultivation facility)
- 4. The dispensary shall be located a minimum distance of 1,200-feet from the following land uses:
    - a. Churches;
    - b. Libraries; and
    - c. Public Parks located in the [LI](#) or [GI](#) districts.
  - 5. The dispensary shall be located a minimum distance of 500-feet from:
    - a. Day Care Centers and Pre-schools.
    - b. Public parks in all zoning districts except [LI](#) or [GI](#).
    - c. Privately owned designated open spaces and recreations areas maintained by Homeowner's Associations.
  - 6. The Dispensary shall be no larger than 2,500 square feet, of which no more than 500 square feet shall be used for storage of product.
  - 7. The Dispensary shall be housed in a permanent building.
  - 8. A minimum of 25% of the gross floor area ([GFA](#)) of the Dispensary shall be set aside for use as an interior customer waiting area.
  - 9. The Dispensary facility shall not include:
    - a. A drive through window;
    - b. Outdoor seating;
    - c. Outdoor vending machines; and
    - d. Temporary, portable, or self-powered mobile facilities.
  - 10. The Dispensary shall not offer direct or home delivery service.
  - 11. The time the Dispensary may be open to the public shall be limited to the hours between 8:00 am and 9:00 pm of the same calendar day.
  - 12. The Dispensary shall remain in compliance with all requirements of the [Arizona Department of Health Services](#) and [A.R.S § 36-2804](#).
- B. Medical Marijuana Cultivation Facilities (“[Cultivation Facilities](#)”) and medical marijuana infusion facilities ([Infusion Facility](#)), as these terms are defined by this Ordinance, are permitted only in the [LI](#) and [GI](#) districts, subject to compliance with all of the following:

1. The Location of the [Cultivation Facilities](#) and/or the infusion facility shall be a minimum distance of 2,400 feet from the next nearest [Medical Marijuana Dispensary](#), Off-site [Cultivation Facilities](#) or infusion facility. This separation distance does not apply to the distance between the cultivation or infusion facility, and the specific dispensary served by the Cultivation or [Infusion Facility](#).
  2. The Location of the Cultivation and/or Infusion Facility shall be a minimum distance of 1,200 feet from any of the following:
    - a. Churches;
    - b. Libraries;
    - c. Schools
    - c. Public parks in the [LI](#) or [GI](#) districts
  3. The location of the Cultivation and/or Infusion Facility shall be a minimum distance of 500-feet from:
    - a. Day Care Centers and Pre-schools.
    - b. Public parks in all zoning districts except [LI](#) or [GI](#).
    - c. Privately owned designated open spaces and recreations areas maintained by Homeowner's Associations as designated on the applicable plan of development approved by the City.
  4. The maximum floor area of an Off-site [Cultivation Facilities](#) shall be limited to 25,000 square feet.
  5. On and Off-site Cultivation Facilities shall be housed in Permanent Buildings.
  6. The maximum floor area of an [Infusion Facility](#) shall be limited to 10,000 square feet, of which no more than 2,500 square feet shall be used for storage of marijuana related finished product or marijuana related materials used in the production of product.
  7. The [Cultivation](#) and/or [Infusion Facility](#) shall remain in compliance with requirements of the [Arizona Department of Health Services](#) and [A.R.S. § 36-2804](#).
- C. [Medical Marijuana Caregiver Cultivation Facilities](#) are permitted as an accessory use in all residence districts, subject to compliance with all of the following:
1. The Accessory [Cultivation Facilities](#) shall be located a minimum distance of 25-miles from the next closest [Medical Marijuana Dispensary](#). This 25-mile separation distance includes those dispensaries that are located in neighboring jurisdictions.
  2. The Cultivation Facility shall be housed in a permanent building.

3. The Cultivation Facility shall be limited to a maximum floor area of 250 square feet, including storage areas.
  4. The location (including the correct address) of Cultivation Facility shall be registered with the [Planning Division](#).
  5. The Caregiver shall be in possession of a [Caregiver Card](#), and be in compliance with all rules and requirements of the [Arizona Department of Health Services](#) and [A.R.S § 36-2804](#) of the [Arizona Medical Marijuana Act](#) with regard to cultivating marijuana as a caregiver to a qualified patient.
- D. Medical Marijuana Qualified Patient Cultivation Facilities are permitted as an accessory use in all residence districts, subject to compliance with all of the following:
1. The Accessory [Cultivation Facilities](#) shall be located a minimum distance of 25-miles from the next closest [Medical Marijuana Dispensary](#). This 25-mile separation distance includes those dispensaries that are located in neighboring jurisdictions.
  2. The Cultivation Facility shall be limited to a maximum floor area of 250 square feet, including storage areas.
  3. The location (address) of the Cultivation Facility shall be registered with the [Planning Division](#).
  4. At least one resident of the property shall be in possession of a Qualified Patient Card, and be in compliance with all requirements of [Department of Health Services](#) and [A.R.S § 36-2804](#) of the [Arizona Medical Marijuana Act](#) with regard to cultivating marijuana as a qualified patient.
- E. All medical marijuana dispensaries, cultivation facilities and infusion facilities, including all accessory cultivation facilities, shall register the location of the facility (and associated off-site [Cultivation Facilities](#), if applicable) with the [Planning Division](#). Such registration shall be valid for a period of one (1) year from the date of registration, and may be renewed only in the event the [Arizona Department of Health Services](#) (DHS) also renews the DHS [dispensary Registry Certification](#). Such registration with the [Planning Division](#) shall provide the following information:
1. Name, mailing address, telephone number and e-mail address of the individual or Non-profit organization operating the facility. If a non-profit organization registers the facility location, information pertaining to contacting the individual responsible for managing the facility shall also be provided.
  2. A written narrative describing how the location and improvements associated with the registered facility comply with the requirements of this ordinance.
  3. If applicable, the submittal of the name(s) and location(s) of the offsite medical

marijuana cultivation facility associated with the dispensary operation.

4. Applicable only to [Dispensaries](#), a copy of the operating procedures adopted in compliance with [A.R.S. § 36-2804\(B\)\(1\)\(c\)](#), including record keeping and security measures.

F. Any combination of medical marijuana dispensary, cultivation facility and/or infusion facility may occur at a single location, provided:

1. The combined facility complies with all requirements of this subsection F.
2. The maximum floor area associated with the combined activity shall not exceed in aggregate the maximums specified by items [A6](#), [B3](#) and [B4](#) for the specific individual uses being combined,
3. The floor area specifically assigned to individual dispensary, cultivation and/or infusion activities within the combined facility does not exceed the maximums specified by items [A6](#), [B3](#) and [B4](#) of this subsection for each individual land use.

### **11-31-35: Recreational Vehicle Storage in Residential Zoning Districts**

**Recreational Vehicle Storage Lots** that have been developed as part of a residential neighborhood and historically been used solely to serve the needs of that residential community may be allowed to expand the use in the RS district and provide storage service to people who reside outside of the adjacent neighborhood, subject to approval of a Special Use Permit, in accordance with Chapter 70 of this zoning ordinance.

A. The review of the special use permit shall be based upon the following items:

1. The applicant has demonstrated that the storage of recreational vehicles has historically taken place on this site, and that the continued use of this lot for open air storage of recreational vehicles is consistent with this historical usage.
2. Screening of the storage lot is achieved through either: 1) a combination of a minimum 6-foot high masonry wall and 15-foot wide landscape buffer with trees planted at 20-foot on center; or 2) a minimum 8-foot high, fully grouted masonry wall.
3. The site may be accessed directly from an arterial or collector street.
4. Landscaping along street frontages complies with landscaping requirements for the LC zoning district where adjacent to arterial streets, and at minimum substantially complies with LC zoning district landscaping requirements where adjacent to streets not classified as a collector or arterial street.

B. Signs associated with this activity:

1. All signs facing single residence land uses shall remain non-illuminated.
2. The maximum area of any individual sign shall be 32 square feet.
3. The maximum height of any detached sign shall be no higher than 8-feet.
4. The number of signs shall not exceed two per street front in which direct vehicular access to the Storage Lot is available.